

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ALONZO PALMER,

Plaintiff,

v.

C.O. WATERSON, et al.,

Defendants.

Case No. 1:20-CV-10

MEMORANDUM ORDER

This action was received by the Clerk of Court on January 21, 2020 and was referred to United States Magistrate Judge Richard A. Lanzillo, for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The operative complaint in this action is the Amended Complaint filed on February 26, 2021. ECF No. 53. This Amended Complaint was filed after this Court directed Plaintiff to file it consistent with the Report and Recommendation of Magistrate Judge Lanzillo.

In response to the Amended Complaint, Defendants moved to dismiss. ECF No. 54.


On November 9, 2021, Magistrate Judge Lanzillo issued a Report and Recommendation recommending that Defendants' Motion to Dismiss the Amended Complaint be denied. ECF No. 64. Neither party filed Objections to the Report and Recommendation.

After *de novo* review of the Amended Complaint, together with the Report and Recommendation, the following order is entered:

AND NOW, this 15th day of December, 2021,

IT IS ORDERED that the motion to dismiss filed by Defendants [ECF No. 54] is denied.

IT IS FURTHER ORDERED that the report and recommendation of Magistrate Judge Lanzillo, issued on November 9, 2021 [ECF No. 64] is adopted as the opinion of the court.


/s/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
United States District Judge